

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**April 22, 2003**

DIVISION ONE

Court convened at 9:00 a.m.

Present: Spencer, P.J., Ortega, J., Vogel (Miriam A.), J., Mallano, J. and S. Beaux,  
Deputy Clerk.

Each of the following:

B146466 People v. Sylvester  
B154745 People v. Alvarez  
B155638 People v. Campos  
B156117 People v. Dobbs  
B157104 People v. Kincade  
B158567 People v. Jones  
B158575 People v. Broyles  
B158892 People v. Dorsey  
B159138 People v. Appleby  
B159224 People v. Martinez  
B159447 People v. Labeet  
B159926 People v. Lionel J.  
B160018 People v. Haymond  
B160672 People v. Guzman  
B161785 DCFS v. LaTochia W.  
B162009 People v. Donelan  
B164767 Laurie R. v. DCFS

Argument waived, cause submitted.

B156617     People  
                  v.  
                  Abber

Merits:

Argued by Waldemar D. Halka for appellant and by Noah P. Hill, Deputy  
Attorney General, for respondent. Cause submitted.

Vogel, J. leaves the bench.

DIVISION ONE (Continued)

B151350     Clark  
B152947     v.  
              Clark

Merits:

Argued by John Clark, appellant in propria persona and by Emily Shappell Edelman for respondent. Cause submitted.

B147168     Arden Realty, Inc.  
B152133     v.  
              Bleau et al.

Merits:

Argued by David L. Gernsbacher for appellant and by Harry W. R. Chamberlain for respondents. Cause submitted.

Vogel, J. returns to the bench.

Mallano, J. leaves the bench.

B150107     People  
              v.  
              Paredes et al.

Merits:

Argued by Dennis A. Fischer for appellant Paredes and by David A. Wildman, Deputy Attorney General, for respondent. Appellant Halas waived oral argument. Cause submitted.

Mallano, J. returns to the bench.

Vogel, J. leaves the bench.

DIVISION ONE (Continued)

B151026     People  
              v.  
              Mitchell et al.

Merits:

Argued by Robert E. Boyce for appellant Mitchell and by Scott Taryle, Deputy Attorney General, for respondent. Appellant Rogers waived oral argument. Cause submitted.

Vogel, J. returns to the bench.

Spencer, P.J. leaves the bench.

B162233     Jasmin  
              v.  
              El Centro Foods, Inc. et al.

Merits:

Argued by Ronald Wrinkle for appellant, by Michael Thomas for respondent El Centro, by Brand Cooper for respondent Ghanbari and by Ian Corzine for amicus curiae. Cause submitted.

Spencer, P.J. returns to the bench.

B161422     Los Angeles County, D.C.S.  
              v.  
              Sujedy P.  
              In re Joshua P. et al., minors

Merits:

Argued by Andrea R. St. Julian for appellant and by Judith German, Deputy County Counsel, for respondent. Minors Joshua P. and Jadan P. waive oral argument. Cause submitted.

DIVISION ONE (Continued)

B156699     People  
              v.  
              Morales

Merits:  
Argued by Barbara Michel for appellant and by Alan D. Tate, Deputy  
Attorney General, for respondent. Cause submitted.

Ortega, J. leaves the bench.

B160243     Hill  
              v.  
              Hinds et al.

Merits:  
Argued by Larry E. Wasserman for appellants and by Tony Nevarez for  
respondent. Cause submitted.

B158896     Murray  
              v.  
              American Medical Response of Southern California

Merits:  
Argued by Alan Newman for appellant and by Julian Bellenghi for  
respondent. Cause submitted.

B159233     TEC Worldwide, Inc.  
              v.  
              Dicker

Merits:  
Argued by David Schultz for appellant and by Charles L. Birke for  
respondent. Cause submitted.

Court adjourned.

April 22, 2003 (Continued)

DIVISION ONE (Continued)

B154481      Motion Picture Licensing Corporation      (Not for Publication)  
v.  
Neil B. Russell et al.

The appeal is dismissed.

Mallano, J.

We concur:    Spencer, P.J.  
                 Vogel (Miriam A.), J.

DIVISION TWO

B155172      People      (Not for Publication)  
v.  
Lavendar

The judgment is affirmed.

Nott, Acting P.J.

We concur:    Doi Todd, J.  
                 Ashmann-Gerst, J.

B160854      People      (Not for Publication)  
v.  
Raul G.

The judgment is affirmed.

Boren, P.J.

We concur:    Nott, J.  
                 Doi Todd, J.

April 22, 2003 (Continued)

DIVISION TWO (Continued)

B151774      Hughes Electronics Corporation  
v.  
Liberty Mutual Insurance Company

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

B156574 People  
v.  
Rodriguez

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

### DIVISION THREE

B154981 Siavash Adabkhah, et al. (Not for Publication)  
v.  
Mahmood Kazemzadeh, et al.

The judgment is affirmed. Respondent(s) to recover costs.

Kitching, J.

We concur: Klein, P.J.  
Croskey, J.

B156071 Armando Aguirre, et al. (Not for Publication)  
v.  
E.I.Dupont De Nemours & Co., et al.

The judgment is affirmed. Union Oil is entitled to costs on appeal.

Kitching, J.

We concur: Klein, P.J.  
Croskey, J.

April 22, 2003 (Continued)

DIVISION THREE (Continued)

B154485      Edonia Almeida                      (Not for Publication)  
                 v.  
                 Maribel Castillo, et al.

The order dismissing plaintiff's case is affirmed in part and reversed in part in conformity with this opinion. Each party to bear its own costs on appeal.

Kitching, J.

We concur:   Klein, P.J.  
                 Aldrich, J.

B155927      People v. Jackson                      (Not for Publication)  
B164450      In Re Raymond Jackson on Habeas Corpus

The judgment is affirmed, and the petition for writ of habeas corpus is denied.

Kitching, J.

We concur:   Klein, P.J.  
                 Aldrich, J.

DIVISION FOUR

B164424      Lillian S.                                      (Not for Publication)  
                 v.  
                 Superior Court, Los Angeles County  
                 (Los Angeles County Department of Children and Family Services , r.p.i.)

The petition is denied.

Hastings, J.

We concur:   Vogel (C.S.), P.J.  
                 Curry, J.

April 22, 2003 (Continued)

DIVISION FOUR (Continued)

B151720      Nickel      (Not for Publication)  
v.  
Mazda Motors of America, et al.

The judgment is affirmed. Respondents shall have their costs on appeal.

Hastings, J.

We concur: Vogel (C.S.), P.J.  
Curry, J.

B159549      Bissell      (Not for Publication)  
v.  
Thornton

The order awarding attorney fees and denying prejudgment interest is reversed. On remand, the trial court is directed to determine what constitutes reasonable attorney fees incurred for work by attorney Beall at the time appellant had no attorney of record in the litigation and the appropriate amount of prejudgment interest and award for overtime wages not paid. Costs on appeal are awarded to appellant.

Hastings, J.

We concur: Epstein, Acting P.J.  
Curry, J.

B154871 Willoughby (Not for Publication)  
v.  
Willoughby

The September 18, 2001, judgment is vacated. The May 2, 2002, judgment is affirmed. Respondent to have his costs on appeal.

Epstein, J.

I concur: Vogel (C.S.), P.J.  
I dissent: Curry, J. (Opinion)



DIVISION FIVE

(Certified for Partial Publication)

B156585      National Council Against Health Fraud Inc.  
                 v.  
                 King Bio Pharmaceuticals, Inc. et al.

The judgment is affirmed. National Council Against Health Fraud, Inc. is to bear King Bio Pharmaceuticals, Inc.'s and Frank J. King, Jr.'s costs on appeal.

Grignon, J.

We concur:   Turner, P.J.  
                      Armstrong, J.

B159929      Los Angeles County, D.C.S.      (Not for Publication)  
                 v.  
                 James H.  
                 In re James H.

The judgment is affirmed.

Turner, P.J.

We concur:   Grignon, J.  
                      Mosk, J.

DIVISION SIX

B155969      Adamek      (Not for Publication)  
                 v.  
                 Szpak  
                 Adams

The order is reversed. Appellant shall bear costs on appeal.

Gilbert, P.J.

We concur:   Yegan, J.  
                      Perren, J.

April 22, 2003 (Continued)

## DIVISION SIX (Continued)

B160163 People v. Jimenez (Not for Publication)

The judgments are affirmed.

Yegan, Acting P.J.

We concur: Coffee, J.  
Perren, J.

B159767 People (Not for Publication)  
v.  
Jimenez

The judgments are affirmed.

Yegan, Acting P.J.

We concur: Coffee, J.  
Perren, J.

B162045      David Ziesmer  
v.  
Ventura County Superior Court  
(The People, R.P.I.)

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

B160166      Marian  
v.  
The State of California

Filed order denying petition for rehearing.

DIVISION SIX (Continued)

B158004     Reynolds  
               v.  
               Freeman, et al.

Filed order denying petition for rehearing.

B159263     People  
               v.  
               Washington

Filed order denying petition for rehearing.